

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

DON GIBSON, LAUREN CRISS, and JOHN
MEINERS, individually and on behalf of all
others similarly situated

Plaintiffs,

v.

NATIONAL ASSOCIATION OF
REALTORS, COMPASS, INC., *et al.*

Defendants.

Case No. 4:23-cv-00788-SRB

Honorable Stephen R. Bough

Oral Argument Requested

**DEFENDANT EXP WORLD HOLDINGS, INC.’S RULE 12(f) MOTION TO
STRIKE CLASS ALLEGATIONS AS TO ARBITRATING CLASS MEMBERS**

Defendant eXp World Holdings, Inc. (“eXp Holdings”), through its undersigned attorneys, respectfully submits this Rule 12(f) Motion to Strike Class Allegations as to Arbitrating Class Members (“Motion to Strike”). The class allegations and class definition set forth in the Complaint include putative class members who are bound to arbitrate their claims and/or waived any rights to participate in a class action pursuant to listing agreements or other agreements enforceable by eXp Holdings. For the reasons set forth in Defendant eXp World Holdings, Inc.’s Suggestions In Support Of Its Separate Rule 12(f) Motion To Strike Class Allegations As To Arbitrating Class Members, eXp Holdings respectfully requests that this Court: (A) grant eXp Holdings’ Motion to Strike; (B) strike “Arbitrating Class Members” from Plaintiffs’ class allegations and the proposed class definition in the Complaint; (C) alternatively, the Court should stay all putative or actual claims of the Arbitrating Class Members pending a ruling on a motion to compel arbitration and/or a ruling on class certification; and (D) grant eXp Holdings such other and further relief as is appropriate.

Dated: February 26, 2024

Respectfully submitted,

EXP WORLD HOLDINGS, INC.

By: /s/ Stephen J. Siegel

One of Its Attorneys

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CERTIFICATE OF SERVICE

Stephen J. Siegel, an attorney, hereby certifies that, on February 26, 2024, he caused a true and correct copy of the foregoing to be filed electronically with the Court's CM/ECF system, and that notice of this filing was sent by electronic mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to receive electronic filings as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF system.

/s/ Stephen J. Siegel